

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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**UNITED STATES OF AMERICA,**

Case No. 2:16-CR-378 JCM (CWH)

**Plaintiff(s),**

## ORDER

v.

BRIAN C. FISHER,

Defendant(s).

Presently before the court is a motion by the United States to continue the sentencing hearing of defendant Brian C. Fisher, which is currently set for Tuesday, September 26, 2017 at 10:30am. (ECF No. 87). The United States indicates that new, “exceptionally relevant information” has surfaced that should be included in the presentence report and may impact the court’s evaluation of the defendant for sentencing purposes, and therefore has requested a continuance of no less than 60 days to allow for probation to update its report. *Id.* The defense has not filed a response, but the government’s motion states, “Defense Counsel indicated that the Defendant opposes any continuance of the sentencing date. Accordingly, Government Counsel is forced to file this motion.” *Id.* at 3.

The court finds that the sentencing hearing must be continued, and that this request was not made for the purpose of undue delay, but is instead made in good faith.

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Accordingly,

IT IS HEREBY ORDERED that the United States's motion to continue (ECF No. 87) is GRANTED and that the sentencing and disposition hearing, currently scheduled for September 26 at 10:30am, is vacated and continued to **November 30, 2017 at 10:00 AM** in LV Courtroom 6A before Judge James C. Mahan.

DATED September 21, 2017.

Xenia C. Mahan  
UNITED STATES DISTRICT JUDGE